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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

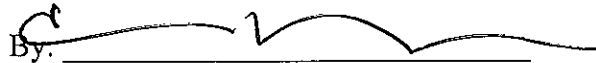
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| -----                          | x |                                 |
| OLIVER DOUCE,                  | : |                                 |
|                                | : | Case No.: 08-CV-0483 (DLC)(DFE) |
| Plaintiff,                     | : |                                 |
|                                | : |                                 |
| - against-                     | : |                                 |
|                                | : | <b>NOTICE OF MOTION</b>         |
| AT&T MOBILITY LLC AND KATHLEEN | : |                                 |
| BROOM,                         | : |                                 |
|                                | : |                                 |
| Defendants.                    | : |                                 |
| -----                          | x |                                 |

PLEASE TAKE NOTICE THAT, upon the annexed declaration of Neal S. Berinhout, dated the 17<sup>th</sup> day of April 2008, the exhibits annexed thereto, and the memorandum of law submitted herewith, Defendants AT&T Mobility LLC and Kathleen Broom will move this Court, before the Honorable Denise L. Cote, in Courtroom 11B, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, at a time and date convenient for the Court, for an order dismissing Plaintiff's Complaint pursuant to Fed. R. Civ. P. 12(b)(6) or in the alternative, for an order staying the above-captioned action pending arbitration and granting such other and further relief as the Court deems just and proper.

Dated: April 17, 2008  
New York, New York

Respectfully submitted,

McKENNA LONG & ALDRIDGE LLP

By: 

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